

REMARKS

Claims 1-11 are all the claims pending in the application. Claims 1-11 stand rejected as being anticipated under 35 U.S.C. § 102(b) by JP 2003-026113 ("Kadota"). Claims 1-11 also stand rejected under 35 U.S.C. § 112.

A Petition for Extension of Time extending the due date for responding to the outstanding Office Action to January 18, 2005 is enclosed herewith. As January 15-16, 2005 fell on a weekend and as January 17, 2005 fell on a national holiday, only a one-month extension is necessary at this time.

35 U.S.C. § 112 REJECTION

The Examiner has rejected claims 1-11 for several alleged informalities in the claims. Applicant has amended the claims as shown above. Applicant submits that these amendments overcome the Examiner's rejections.

35 U.S.C. § 102 REJECTION

Claims 1-11 stand rejected as being anticipated under 35 U.S.C. § 102(b) by Kadota. For at least the following reasons, Applicant respectfully traverses this rejection.

In the method recited in claim 1, rolled articles are reliably shielded from light by "mounting [] skirt members on [] end packaging members while pressing the end packaging members against respective opposite ends of said rolled article." Kadota fails to teach or suggest at least this element. Kadota relates to an apparatus and method for processing a rolled article for applying tape members to an end of the rolled article at certain positions. See [0027].


However, neither the method nor the apparatus disclosed in Kadota “mount[] skirt members on [] end packaging members while pressing the end packaging members against respective opposite ends of said rolled article” as recited in claim 1. Notably, the Examiner’s rejection fails to identify where in Kadota such a disclosure can be found. The Examiner’s rejection is merely a recitation of the claim elements without citation to the specification or figures of the reference upon which the rejection is based. This is insufficient to support a rejection under 35 U.S.C. § 102. Independent claim 4 recites similar limitations to that recited above with respect to claim 1. Dependent claims 2-3 and 5-11 each depend on either independent claim 1 or 4 and are patentable at least based on their respective dependencies. Accordingly, for at least these reasons, Applicant submits that each of claims 1-11 are patentable over the cited reference.

CONCLUSION

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Brandon M. White
Registration No. 52,354

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: January 18, 2005